

Information Request

Planning Act 2016



Address all communications to
The Chief Executive Officer

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Enquiries to: Planning Department

Our Reference: RAL26/0004

Your Reference: DA005-26

23 April 2026

M. Vass

C/- BNC Planning

PO Box 5493

Townsville QLD 4810

Via email: da.corro@bncplanning.com.au & bnc@bncplanning.com.au

Attention: Benjamin Collings

Dear Benjamin,

I refer to your application and advise that Council requires further information to satisfactorily assess the proposal.

Application Details	
Application No:	RAL26/0004
Proposal:	Reconfiguring a Lot – Boundary Realignment (2 into 2 lots)
Street Address:	43 Tuffin Road and 189 Bapty Road, Fredericksfield
Real Property Description:	Lot 1 on RP716715 & Lot 4 on SP330992
Planning Scheme:	<i>Burdekin Shire Council Planning Scheme 2022</i>
Information Required	

The following information is requested:

1. Priority Agricultural Areas

The North Queensland Regional Plan outlines the following in relation to Priority Agricultural Areas (PAAs):

“PAAs are strategic clusters of the most regionally significant agricultural production areas that contain various priority agricultural land uses (PALU). These uses include broadacre cropping, horticulture, intensive animal husbandry, plantation forestry and terrestrial aquaculture as shown on Map 1.

Any non-agricultural use or resource activity seeking to operate in these areas will not be supported unless they can co-exist with the PALUs for mutual benefit and without compromising the PALUs current or future ability to operate.”

Proposed lot 1 is 1.1ha in size. It is unclear how can accommodate any of the identified priority agricultural land uses.

Information Requested

Please identify the priority agricultural land uses intended for proposed lot 1.

Note: Although the Assessment Benchmarks for PAAs within the NQ Regional Plan do not apply in this circumstance they may provide guidance for an alternative way to address this information request item.

Minimum lot size

Strategic framework item 2.4.1 (3) outlines the following:

“All land in the rural zone is protected from fragmentation as a result of the creation of small lot sizes below the minimum size nominated in the zone code. Reconfiguration creating lots below these minimum sizes does not occur, other than where:

- (a) consolidating the balance of the farmed lot which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme; or
- (b) a result of rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.”

The above item is reflected in the overall, performance and accepted outcomes of the rural zone code.

The development site is within the priority agricultural area and is classified as class A and B agricultural land. The minimum lot size for land in the rural zone with these classifications is 30ha. Proposed lot 1 is substantially smaller than the minimum lot size at 1.1ha.

Proposed Lot 1 does not contain a dwelling house that existed at the commencement of the planning scheme, and therefore compliance with strategic framework item 2.4.1 3) a) is not be achieved by the current design. Furthermore, the application does not demonstrate that the development results in a substantial improvement in the management of the land, as required to comply with strategic framework item 2.4.1 3) b).

While the development consolidates agricultural land onto proposed Lot 4, at 1.1ha, proposed Lot 1 is not of a size which can accommodate viable agricultural activity.

Information Requested

Please demonstrate that the development results in a substantial improvement in the management of the land for the purposes intended for the priority agricultural area and class A and B agricultural land. Have regard to the management of both proposed lots.

1. Rural residential use

Overall outcomes (2)(d) of the rural zone code outlines the following:

“land in the rural zone is not used or subdivided for urban residential or rural residential purposes.”

The proposed development effectively results in the fragmentation of actively farmed rural land for the purpose of establishing a lot for rural lifestyle purposes.

Information Requested

Please demonstrate that proposed Lot 1 is not intended to be used for residential purposes by demonstrating how the lot will accommodate viable agricultural activity or a use in keeping with the intent of the rural zone.

End of Information Request

Under the provisions of the *Development Assessment Rules 2017*, you have three options available in response to this Information Request. You may give the assessment manager (in this instance Council):

- (a) all of the information requested; **or**
- (b) part of the information requested; **or**
- (c) a notice that none of the information will be provided.

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For any response given in accordance with items (b) and (c) above, you may also advise Council that it must proceed with its assessment of the development application.

Please be aware that under the *Development Assessment Rules 2017*, the applicant is to respond to any Information Request within **3 months** of the request.

If you do not respond to the Information Request within this time period, or, within a further period agreed between the applicant and Council, it will be taken that you have decided not to provide a response.

In the event of no response being received, Council will continue with the assessment of the application without the information requested.

Council prefers that all of the information requested be submitted as one package.

If any additional matters arise as a result of the information submitted, or, as a result of public notification (where applicable), you will be advised accordingly.

Should you have any further queries in relation to the above, please do not hesitate to contact Council.

Yours sincerely,



James Stewart

Director Infrastructure, Planning and Environmental Services